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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/699,833	11/04/2003	Noriyuki Horiuchi	SN-US035134	5570
22919	7590	12/17/2004	EXAMINER	
SHINJYU GLOBAL IP COUNSELORS, LLP 1233 20TH STREET, NW, SUITE 700 WASHINGTON, DC 20036-2680			ROYAL, PAUL	
			ART UNIT	PAPER NUMBER

3611

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/699,833	Applicant(s) HORIUCHI, NORIYUKI	
	Examiner Paul Royal	Art Unit 3611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☒ Claim(s) 13-25 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>5/24/03, 11/12/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The information disclosure statements (IDS) submitted on 24 May 2004, 15 January 2004, and 12 November 2004 have been considered by the examiner.

Drawings

2. The drawings were received on 4 November 2003. These drawings are approved.

Response to Amendment

3. The preliminary amendment filed on 4 November 2003 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

- LDm
12/13/04
4. Claims ~~1-8, 14~~¹⁻¹² and 12 are rejected under 35 U.S.C. 102(b) as being anticipated by Thompson, Jr. (US 3,833,242).

Thompson, Jr. teaches an expandable bicycle headset structure comprising:

a first tubular member (104) having a first free end, a first coupling end with a first

mating adjustment structure (1MAJS, see Examiner's annotated Figure 8), and a first bore extending axially between the first free end and the first coupling end, the first bore having an innermost diameter that is sized to receive a steerer tube (92) therethrough; and

a second tubular member (112) having a second free end, a second coupling end with a second mating adjustment structure (2MAJS, see Examiner's annotated Figure 8), and a second bore extending axially between the second free end and the second coupling end, the second bore having an innermost diameter that is sized to receive the steerer tube (92) therethrough, the first and second mating adjustment structures being adjustably coupled together to change an effective overall axial length of the expandable bicycle headset structure; and

a locking member (120) configured and arranged to be selectively set to prevent relative adjustment between the first and second mating adjustment structures,

wherein the first mating adjustment structure (1MAJS) includes a set of first threads, and the second mating adjustment structure (2MAJS) includes a set of second threads that are threadedly engaged with the first threads, and

the locking member (120) includes a locking nut that is threadedly coupled to one of the first and second threads, and

the first threads are external threads formed on an outer surface of the first tubular member (104), and the second threads are internal threads formed on an inner surface of the second bore of the second tubular member (112), and

the innermost diameter of the first bore of the first tubular member (104) is

substantially identical to the innermost diameter of the second bore of the second tubular member, and

the second set of threads has an effective inner diameter that is larger than the innermost diameter of the second bore of the second tubular member,
and

Note, Thompson, Jr. teaches maintaining spacing between the bearing races 86 and 114 which is understood to teach the first (1MAJS) and second (2MAJS) mating adjustment structures being adjustably coupled together to change an effective overall axial length of the expandable bicycle headset structure, see column 6, lines 31-45, specifically, lines 42-45.

For claim 12, the first tubular member is understood to include a flange located at the first free end of the first tubular member, the flange having an outer peripheral surface with a pair of parallel tool engagement surfaces because a thread gripping tool could be used to grasp the first tubular member at the outer surface of the first tubular member.

For claims 9-10, Thompson jr. teaches an expandable headset structure which further includes wherein the first tubular member (104) has a flange (126) located at the first free end of the first tubular member with an outermost width that is greater than the outer diameter of the first set of threads, and wherein the flange (126) of the first tubular member has an outer peripheral surface with a pair of parallel tool engagement surfaces.

Allowable Subject Matter

5. Claims 13-25, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. The following is a statement of reasons for the indication of allowable subject matter:

For claims 13-19, the prior art does not show an expandable headset structure as recited in the independent claim and as applicable to the dependent claims which includes the locking member having a split locking collar with an adjustable inner diameter and the recited tapered surfaces.

For claims 20-25, the prior art does not show an expandable headset structure as recited in the independent claim and as applicable to the dependent claims which includes a bicycle component having an operator using portion with an outermost width larger than the first bore of the first tubular member and a steerer tube insertion portion as recited.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Royal whose telephone number is 703-308-8570. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley D. Morris can be reached on 703-308-0629. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



P. Royal
12/13/04

Paul Royal
Examiner
Art Unit 3611



LESLEY D. MORRIS
SUPERVISORY PATENT EXAMINER
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